

## The Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SAMUEL PRICE STUART and ANITA  
LOUISE STUART, husband and wife,

**Plaintiffs,**

VS.

ABB, INC., et al.,

### Defendants.

Civil Action No. 2:17-cv-01508-TSZ

**STIPULATION AND ORDER OF  
DISMISSAL WITHOUT PREJUDICE AS  
TO DEFENDANT AMERICAN  
ELECTRIC POWER COMPANY, INC.  
ONLY**

## **STIPULATION**

Plaintiffs and Defendant American Electric Power Company, Inc. hereby stipulate that all claims against American Electric Power Company, Inc. only may be dismissed without prejudice and without costs and/or attorney fees as to either party.

SHROETER, GOLDMARK & BENDER;  
DEAN OMAR AND BRANHAM, LLP

LEWIS BRISBOIS BISGAARD & SMITH LLP

s/ Benjamin H. Adams  
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Lucas Garrett, WSBA #38452  
Benjamin H. Adams (*Pro hac vice*)  
David W. Henderson (*Pro hac vice*)  
Benjamin D. Braly (*Pro hac vice*)  
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*Attorneys for Plaintiffs*

s/ Marc M. Carlton  
George S. Pitcher, WSBA #27713  
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*Attorneys for Defendant American Electric  
Power Company, Inc. as successor-in-interest to  
American Gas & Electric Company*

STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE AS  
TO DEFENDANT AMERICAN ELECTRIC POWER COMPANY ONLY - 1  
USDC WD WA CAUSE NO. 2:17-cv-01508-TSZ

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## **ORDER OF DISMISSAL**

THIS MATTER having come before the Court by way of stipulated motion by the Plaintiffs and Defendant American Electric Power Company, Inc. to dismiss all claims against American Electric Power Company, Inc. only without prejudice and without costs and/or attorney fees as to any party, and the Court being fully advised in the premises, now, and therefore it is hereby ORDERED as follows:

All claims against Defendant American Electric Power Company, Inc. only are hereby dismissed without prejudice and without costs or attorney fees as to any party.

FURTHER, the Court finds that there is no just reason for delaying entry of final judgment in regard to Defendant American Electric Power Company, Inc. Based on the foregoing finding, the Court hereby directs that pursuant to FRCP 54(b) final judgment be entered dismissing all claims against the Defendant American Electric Power Company, Inc.

DONE this 17th day of November, 2017.

Thomas S. Bally

Thomas S. Zilly  
United States District Judge

## **PRESENTED BY:**

LEWIS BRISBOIS BISGAARD & SMITH LLP

S/ Marc M. Carlton

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George S. Pitcher, WSBA #27713

Marc M. Carlton, WSBA #40069

*Attorneys for Defendant American Electric Power Company, Inc. as successor-in-interest to American Gas & Electric Company*

APPROVED AS TO FORM AND CONTENT BY:

APPROVED AS TO FORM AND CONTENT  
SHROETER, GOLDMARK & BENDER; and  
DEAN OMAR AND BRANHAM, LLP

s/ Benjamin H. Adams

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Attorneys for Plaintiff

**STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE AS  
TO DEFENDANT AMERICAN ELECTRIC POWER COMPANY ONLY - 2  
USDC WD WA CAUSE NO. 2:17-cv-01508-TS7**

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